



Governor John R. Kasich

January 10, 2013

Bryant Mobley
2468 Woodway Avenue
Dayton, OH 45406

Jenna M. Downey
Associate General Counsel
Miami Valley Hospital
Premier Health Partners
110 N. Main Street, Suite 900
Dayton, Oh 45402

**OHIO
CIVIL RIGHTS
COMMISSION**

G. Michael Payton
Executive Director

LETTER OF DETERMINATION
Bryant Mobley v. Miami Valley Hospital/Premier Health Partners
(DAY) B6 (22852) 03262012 AMENDED; 22A 2012 01959C

Commissioners

Leonard Hubert, *Chairman*
Stephanie Mercado
William W. Patmon, III
Tom Roberts
Rashmi Yajnik

SUMMARY OF ALLEGATIONS:

Charging Party filed a charge of discrimination with the Ohio Civil Rights Commission alleging that Respondent engaged in an unlawful discriminatory practice. All jurisdictional requirements for filing a charge had been met.


FINDINGS OF FACT:

After receiving the charge, the Commission conducted an investigation into Charging Party's allegation against Respondent. During its investigation, the Commission gathered relevant information and records and conducted an onsite visit and interviewed witnesses. Based upon its investigation, the Commission found no information or records that would raise an inference that Respondent unlawfully discriminated against the Charging Party. Specifically, the Commission found that the Charging Party was terminated for unsatisfactory job performance. The Commission finds no credible information supporting Charging Party's allegation of unlawful activity.

DECISION:

Based on the investigation conducted in this matter, the Ohio Civil Rights Commission has determined that there is **NO PROBABLE CAUSE** for the Commission to issue an administrative complaint accusing Respondent of an unlawful discriminatory practice. Consequently, the Commission hereby orders that this matter be **DISMISSED**.

FOR THE COMMISSION


Kathy Haley Ross
Dayton Regional Supervisor

C: Adam R. Webber, Esq.

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Dayton Regional Office

Case Name: Bryant Mobley v. Miami Valley Hospital/Premier Health Partners

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APPLICATION FOR RECONSIDERATION:

Pursuant to Ohio Administrative Code 4112-3-04, you have the right to request reconsideration of this determination of the Commission. Such application must be in writing and state specifically the grounds upon which it is based.

This request must be sent to the Compliance Department, Ohio Civil Rights Commission, 30 East Broad Street, 5TH Floor, Columbus, Ohio 43215-3414. You must submit this request for reconsideration, along with all additional evidence or supporting documentation you wish to provide in support of your request for reconsideration, within **TEN (10) days** of the date of mailing of this notice. Any application for reconsideration or additional materials received by the Compliance Department in the Commission's Columbus Central Office after the ten-day period has expired will be deemed untimely filed.

The Commission's Rules do not permit any employee of the Commission to grant any extension to this ten-day filing period.

FOR DUAL FILED CHARGES ONLY:

If your charge was filed with both OCRC and the U. S. Equal Employment Opportunity Commission (EEOC), you have the right to request that the EEOC do a review of the OCRC's findings. The request for such a review must be sent directly to the offices of the EEOC. To secure such a review, you must request it in writing within **FIFTEEN (15) days** of this determination, unless you request reconsideration by OCRC. In that event, our final finding, and the time for you to request review by EEOC, will be determined by OCRC's action on your reconsideration request.

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW:

This determination of the Ohio Civil Rights Commission constitutes a Final Order and is subject to judicial review. The right to obtain judicial review of this order and the mode and procedure thereof is set forth in R.C. 4112.06. A petition for judicial review must be filed within **THIRTY (30) days** of mailing of this order. For further information on the process of obtaining judicial review, you are advised to consult an attorney.